

NATIONAL MARITIME SECURITY ADVISORY COMMITTEE CHARTER

PURPOSE. This charter establishes the National Maritime Security Advisory Committee (NMSAC) as required by the Maritime Transportation Security Act of 2002 (Public Law 107-295). NMSAC shall operate in accordance with the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2).

SCOPE AND OBJECTIVES. The NMSAC will advise, consult with, and make recommendations to the Secretary of the Department in which the Coast Guard is operating, via the Commandant of the Coast Guard, on matters affecting maritime security, including, but not limited to:

- developing a national strategy and policy to provide for efficient, coordinated and effective action to deter and minimize damage from maritime related transportation security incidents;
- recommending actions required to meet current and future security threats to ports, vessels, facilities, waterways and their associated inter-modal transportation connections and critical infrastructure;
- promoting international cooperation and multilateral solutions to maritime security issues;
- addressing security issues and concerns brought to the Committee by segments of the maritime transportation industry, or other port and waterway stakeholders; and,
- such other matters, related to those above, that the Secretary may charge the Committee with addressing.

DUTIES. The Committee will be responsive to specific assignments, and may conduct studies, inquiries, workshops and seminars in consultation with individuals and groups in the private sector and/or other governmental entities.

REPORTS, RECORDS, AND COMMITTEE MEETING MINUTES. The Committee shall submit such reports as may be required by current or future legislation to the Secretary of the Department in which the Coast Guard is operating, or the Commandant of the Coast Guard. At the end of each calendar year, the Executive Director shall prepare a report to the Secretary of the Department in which the Coast Guard is operating, summarizing all Committee activities, including any pertinent background material. The Executive Director shall provide the Sponsor with minutes of each Committee meeting. The minutes shall contain a record of all persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the Committee. The Chairman and Executive Director shall certify the accuracy of the minutes. Subject to 5 U.S.C. 552, the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents that were available to, or prepared for the Committee, shall be available for public inspection at a single location at the Sponsor's office, so long as the Committee exists.

DURATION. The duration of the Committee shall be continuing.

OFFICIAL TO WHOM COMMITTEE REPORTS. The Committee reports to the Secretary of the Department in which the Coast Guard is operating, via the Commandant of the Coast Guard.

SPONSOR AND SUPPORT SERVICE. The Assistant Commandant of the Coast Guard for Marine Safety, Security and Environmental Protection is the Sponsor of this Committee. The Assistant Commandant shall designate an Executive Director who shall manage the Committee and provide such clerical, administrative and logistical support as necessary for the Committee to efficiently conduct its business. The Executive Director shall ensure the Committee complies with the requirements of this Charter, relevant Federal regulations, and Coast Guard and Departmental policy on committee management.

MEMBERSHIP. The Committee shall consist of not less than seven members appointed by the Secretary of the Department in which the Coast Guard is operating. Each member shall have at least five years practical experience in maritime security operations. To most effectively deal with the diversity of complex challenges that maritime security presents, members shall reflect a cross section of maritime industries and port and waterway stakeholders, including but not limited to: shippers, carriers, port authorities, and facility operators.

TERM OF OFFICE. The term of each member shall be for a period of not more than five years. Appointments to the Committee shall be for terms of five years. A vacancy in the Committee shall not affect its powers. A member appointed to fill a vacancy shall assume the term of office of the member being replaced.

APPOINTMENT OF OFFICERS. A Chairperson and Vice Chairperson shall be designated annually by members of the Committee, in cooperation with the Sponsor. The Chairperson is the presiding officer of the Committee who guides its efforts to the effective completion of its assigned tasks. The Chairperson shall provide leadership and adhere to the Charter and such other rules of order and operating procedures as the Committee may adopt, maintain order, and conduct each meeting in accordance with the prescribed rules and procedures. The Chairperson is responsible for Committee management, the conduct of all Committee activities, and for certifying the accuracy of Committee meeting minutes. The Vice Chairperson shall assume and perform the duties of the Chairperson in the event the Chairperson is absent or unavailable.

SUBCOMMITTEES. The Chairperson may establish subcommittees with the approval of the Executive Director. The Chairperson may designate members from either the Committee or the public to serve on subcommittees. The subcommittee Chairperson shall be a Committee member.

EXECUTIVE DIRECTOR. The Executive Director is a full time salaried officer or employee of the Coast Guard and will perform the duties set forth in Section 10(c) of the

Federal Advisory Committee Act. The Executive Director will furnish administrative and staff support to the Committee, including:

- assistance in developing agenda items in close consultation with the Chairperson;
- preparing recommendations and resolutions, which reflect the determination of the Committee on substantive issues as required;
- assistance in developing plans for the activities of the Committee and Subcommittees;
- notifying members of Committee meetings and agenda items; and
- maintaining records of Committee activities and disseminating information in accordance with applicable statutes, resolutions or instructions.

MEETINGS. The Secretary of the Department in which the Coast Guard is operating shall call a Committee meeting at least once each calendar year. The Chairperson may call such additional meetings as may be necessary for the Committee to effectively carry out its business. Additional meetings must be approved and coordinated by the Executive Director. Timely notice of each meeting shall be published in the Federal Register and other means that may be established by the Chairperson. Meetings shall be open to the public, except when Classified or Sensitive Security Information is to be discussed, or when the meeting may otherwise be closed under the provisions of the Government in the Sunshine Act (5 U.S.C. 552b). At the Chairperson's discretion, members of the public are permitted to appear before or file statements with the Committee. Each meeting shall be conducted in the presence of the Executive Director. The Executive Director is authorized to adjourn any meeting whenever, in the Executive Director's judgment, the meeting does not serve the public interest.

COMMITTEE ORGANIZATION AND OPERATION. The Committee shall be organized and operated in general conformity with parliamentary procedures and Robert's Rules of Order. The Chairperson, in consultation with the Executive Director, shall develop written procedures for: calling meetings; establishing a quorum; voting; raising, adopting or rejecting proposals; establishing Sub-committees; dealing with Classified and Sensitive Security Information; and, such other administrative activities as may be necessary to effectively and efficiently carry out the Committee's business.

COMPENSATION FOR MEMBERS. Committee members who are not officers or employees of the Federal government are, while attending meetings or otherwise engaged in Committee business, authorized travel and subsistence or per diem allowances (as appropriate) in accordance with Federal Government regulations. All travel by individual members when engaged in official Committee business shall be approved in advance by the Chairperson and the Executive Director.

OPERATING COSTS. Operating costs shall be borne by the Sponsor. The annual cost is estimated to be \$100,000 and one full time equivalent Federal GS-14 employee.

FILING DATE: July 1, 2005. This Charter shall expire in 2 years unless sooner extended or terminated.